

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>TOLL BROS. INC.,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	
	:	<b>NO. 07-1296</b>
<b>CENTURY SURETY COMPANY, ET AL.,</b>	:	
	:	
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this \_\_\_\_ day of June 2011, upon consideration of Plaintiff, Toll Bros. Inc.'s Motion For Partial Summary Judgment (Doc. 41); Defendant Essex Insurance Company's Response in Opposition thereto (Doc. 45); Defendant Essex Insurance Company's Motion For Summary Judgment (Doc. 40) and Plaintiff, Toll Bros. Inc.'s Response in Opposition thereto (Doc. 44), **IT IS HEREBY ORDERED AND DECREED** that the Motions are **DENIED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the parties shall participate in a case management telephone conference on **Wednesday, July 6, 2011 at 11:00 a.m.**<sup>1</sup>

**BY THE COURT:**

/s/ **Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**

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<sup>1</sup> The purpose of the conference is to discuss the need for additional discovery and to set deadlines for such.